

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION

FILED

JUL 23 2018

Clerk, U.S. District Court
District Of Montana
Great Falls

UNITED STATES OF AMERICA,

Plaintiff,

vs.

STANLEY PATRICK WEBER,

Defendant.

CR-18-14-GF-BMM

ORDER

The Court has reviewed Defendant Stanley Weber's Unopposed Motion to Transfer to South Dakota for Trial. (Doc. 62.) The record in this case reflects that Mr. Weber was indicted in the District of Montana on February 7, 2018. (Doc. 1.) Mr. Weber was indicted for conduct that allegedly occurred in Montana. *Id.* The alleged victims additionally resided in Montana within the exterior boundaries of the Blackfeet Indian Reservation at time of the alleged abuse. *Id.*

The Court has continued this trial several times at both the request of the Government and Mr. Weber. The Court originally set trial on May 14, 2018, pursuant to the Speedy Trial Act. (Doc. 13.) Mr. Weber filed a motion to continue the trial on April 13, 2018. (Doc. 30.) The Court granted the motion and reset the trial for June 25, 2018. (Doc. 34.)

The Court set the motions hearing for May 30, 2018. (Doc. 44.) The

Government requested and the Court granted a second continuance of the trial, motions hearing, and all remaining pre-trial deadlines on May 21, 2018. (Doc. 46.) The motions hearing was reset for June 26, 2018. *Id.* The trial was reset for August 6, 2018. *Id.*

Mr. Weber subsequently requested and the Court granted a second continuance of the motions hearing on June 22, 2018. (Doc. 48.) The trial date remained August 6, 2018. *Id.* The Court held the motions hearing on July 10, 2018. (Doc. 50.) At the motions hearing, no party represented to the Court that they anticipated filing a motion to continue the trial. Mr. Weber filed a second motion to postpone the trial date indefinitely until the South Dakota charges were resolved on July 13, 2018. (Doc. 52.) The Court denied this motion. (Doc. 53.)

The alleged conduct at issue in this case occurred between 1993 and 1995. (Doc. 1.) No reason exists to continue to delay the outcome of this proceeding as the alleged conduct took place decades ago. Further, these allegations should come as no surprise to Mr. Weber as evidenced by his resignation from the Indian Health Service in Pine Ridge, South Dakota on approximately May 15, 2016. (Doc. 50 at 3.) Mr. Weber was indicted on similar charges in the District of South Dakota on February 22, 2017. Indictment, *United States v. Stanley Patrick Weber*, No. 5:17-cr-50033-JLV (D.S.D. February 22, 2017). No danger of surprise exists further to Mr. Weber as he admitted in his motion that the “information that precipitated the

present case derives from the investigation in South Dakota.” (Doc. 62 at 1.)

The Government should not have indicted Mr. Weber in Montana if the Government does not want to try this case in Montana. The Government continues to possess the option to dismiss the Indictment if they so choose.

The Court will not grant any more continuances or transfers absent extraordinary circumstances. The Court finds it hard to conceive of any extraordinary circumstances that could arise at this point. The Motions deadline has long passed on July 6, 2018. (Doc. 46.) The Plea Agreement or Notice of Intent to Proceed to Trial deadline remains **today, July 23, 2018.** *Id.* Mr. Weber possesses two options: go to trial to defend himself of these charges or change his plea.

Accordingly, **IT IS HEREBY ORDERED** that the Unopposed Motion to Change Venue to South Dakota (Doc. 62) is **DENIED**.

DATED this 23rd day of July, 2018.



Brian Morris
United States District Court Judge